

AMENDED IN ASSEMBLY MAY 4, 2006

AMENDED IN ASSEMBLY FEBRUARY 21, 2006

AMENDED IN SENATE MAY 5, 2005

AMENDED IN SENATE MAY 3, 2005

SENATE BILL

No. 968

Introduced by Senator Torlakson

February 22, 2005

An act to amend Section 26840.9 of the Government Code, *to amend Section 103626 of the Health and Safety Code, and to amend Section 18308 of the Welfare and Institutions Code*, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 968, as amended, Torlakson. Domestic violence: Contra Costa County.

Existing law provides for county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license is issued may be collected by the county clerks for deposit into these funds.

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Existing law authorizes the Board of Supervisors of Contra Costa County, until January 1, 2007, to increase fees, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2, and to annually increase

these fees, as prescribed, *authorizes the retention of specified administrative costs*, and specifies that the purpose of the fee increase is to provide funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

This bill would delete the repeal date of that authorization.

This bill would make specified legislative findings regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Domestic violence is costly, both in human and
4 organizational terms. The results of domestic violence have many
5 “hidden” costs, such as job turnover, loss of productivity, school
6 absenteeism, and low-school performance, in addition to the high
7 cost of law enforcement, civil and criminal justice, health
8 services, mental health services, substance abuse treatment,
9 human services, and community-based services.

10 (b) Domestic violence cuts across all economic and education
11 levels, all age groups, ethnicities, and other social and
12 community characteristics. Domestic violence is characterized by
13 a predictable, escalating cycle that can result in injury or death of
14 victims, including children. Domestic violence puts children at
15 risk.

16 (c) Domestic violence is learned and generational, and
17 requires a multifaceted intervention that engages civil, criminal,
18 health, and social service sectors working together to align
19 objectives, protocols, policies, and activities of each sector.

20 (d) Contra Costa County determined that achievement of this
21 alignment requires governmental oversight and coordination of
22 the multiple agencies involved in the domestic violence system.
23 This oversight and coordination is an essential link in a
24 comprehensive effort to eliminate domestic violence.

25 (e) During the past four years, Contra Costa County has
26 created a successful domestic violence program. Contra Costa
27 County has established a coordinated data system, set up a

1 training program involving law enforcement, courts, health and
2 social service agencies, established restraining order clinics and
3 other victim support services and increased accountability
4 measures against perpetrators of domestic violence.

5 (f) Contra Costa County's Domestic Violence Program
6 successfully competed for federal funds and other grants which
7 have increased its ability to serve victims and prosecute
8 offenders.

9 (g) Contra Costa County is piloting numerous new domestic
10 violence prevention strategies, including creating an innovative
11 continuum of services for children exposed to domestic violence
12 and establishing primary prevention strategies focused on
13 engaging men in mentoring boys to end the cycle of abuse for
14 future generations.

15 (h) Contra Costa County has demonstrated critically needed
16 leadership through its Systemic Approach Model to addressing
17 domestic violence by integrating victim services across multiple
18 disciplines and by advancing public-private partnerships to
19 institutionalize coordination. Moreover, through its effective
20 centralized collaborative approach, Contra Costa County is
21 addressing system issues critical to California as contained in the
22 California Attorney General's Domestic Violence Report
23 "Keeping the Promise, Victim Safety and Batterer
24 Accountability," issued in June of 2005.

25 (i) The reauthorization of the fees specified in Section 26840.9
26 of the Government Code is essential for Contra Costa County to
27 continue its efforts to create an effective, proven, replicable
28 model that combats domestic violence, and to draw down federal
29 and private funds to support development of a system that will be
30 valuable throughout California.

31 SEC. 2. Section 26840.9 of the Government Code is amended
32 to read:

33 26840.9. (a) The Contra Costa County Board of Supervisors,
34 upon making findings and declarations for the need for
35 governmental oversight and coordination of the multiple agencies
36 dealing with domestic violence, may authorize an increase in the
37 fees for marriage licenses and confidential marriage licenses, up
38 to a maximum increase of two dollars (\$2).

39 (b) Effective July 1 of each year, the Contra Costa County
40 Board of Supervisors may authorize an increase in these fees by

1 an amount equal to the increase in the Consumer Price Index for
2 the San Francisco metropolitan area for the preceding calendar
3 year, rounded to the nearest half-dollar. The fees shall be
4 allocated pursuant to Section 18308 of the Welfare and
5 Institutions Code.

6 (c) In addition to the fee prescribed by Section 26840.1, in
7 Contra Costa County, the person issuing authorization for the
8 performance of a marriage or confidential marriage, or the
9 county clerk upon providing a blank authorization form pursuant
10 to Part 4 (commencing with Section 500) of Division 3 of the
11 Family Code, shall collect the fees specified in subdivisions (a)
12 and (b) of this section, at the time of providing the authorization.

13 (d) The Contra Costa County Board of Supervisors shall
14 submit to the Assembly Judiciary Committee and the Senate
15 Judiciary Committee, no later than July 1, 2006, a report
16 containing the following information:

17 (1) The annual amounts of funds received and expended from
18 fee increases for the purpose of governmental oversight and
19 coordination of domestic violence prevention, intervention, and
20 prosecution efforts in the county.

21 (2) Outcomes achieved as a result of the activities associated
22 with the Zero Tolerance for Domestic Violence Act.

23 *SEC. 3. Section 103626 of the Health and Safety Code is*
24 *amended to read:*

25 103626. (a) The Contra Costa County Board of Supervisors,
26 upon making findings and declarations supporting the need for
27 governmental oversight and coordination of the multiple agencies
28 dealing with domestic violence, may authorize an increase in the
29 fees for certified copies of marriage certificates, birth certificates,
30 fetal death records, and death records, up to a maximum increase
31 of two dollars (\$2).

32 (b) Effective July 1 of each year, the Contra Costa County
33 Board of Supervisors may authorize an increase in these fees by
34 an amount equal to the increase in the Consumer Price Index for
35 the San Francisco metropolitan area for the preceding calendar
36 year, rounded to the nearest half-dollar. The fees shall be
37 disposed of pursuant to the provisions of Section 18308 of the
38 Welfare and Institutions Code.

39 (c) In addition to the fees prescribed by subdivisions (a) and
40 (b) of this section, any applicant for a certified copy of a birth

1 certificate, a fetal death record, or death record in Contra Costa
2 County shall pay an additional fee to the local registrar, county
3 recorder, or county clerk as established by the Contra Costa
4 County Board of Supervisors.

5 ~~(d) This section shall remain in effect only until January 1,~~
6 ~~2007, and as of that date is repealed, unless a later enacted statute~~
7 ~~deletes or extends that date.~~

8 *SEC. 4. Section 18308 of the Welfare and Institutions Code is*
9 *amended to read:*

10 18308. ~~(a)~~ The Contra Costa County Board of Supervisors
11 shall direct the local registrar, county recorder, and county clerk
12 to deposit fees collected pursuant to Section 26840.9 of the
13 Government Code and Section 103626 of the Health and Safety
14 Code into a special fund. The county may retain up to 4 percent
15 of the fund for administrative costs associated with the collection
16 and segregation of the additional fees and the deposit of these
17 fees into the special fund. Proceeds from the fund shall be used
18 for governmental oversight and coordination of domestic
19 violence and family violence prevention, intervention, and
20 prosecution efforts among the court system, the district attorney's
21 office, the public defender's office, law enforcement, the
22 probation department, mental health, substance abuse, child
23 welfare services, adult protective services, and community-based
24 organizations and other agencies working in Contra Costa
25 County in order to increase the effectiveness of prevention, early
26 intervention and prosecution of domestic and family violence.

27 ~~(b) This section shall remain in effect only until January 1,~~
28 ~~2007, and as of that date is repealed, unless a later enacted statute~~
29 ~~deletes or extends that date.~~

30 ~~SEC. 3.~~

31 *SEC. 5.* Due to the unique circumstances of the County of
32 Contra Costa with respect to domestic violence, the Legislature
33 hereby finds and declares that a general statute cannot be made
34 applicable within the meaning of Section 16 of Article IV of the
35 California Constitution.

36 Therefore, the special legislation contained in ~~Section 2~~
37 *Sections 2 to 4, inclusive*, of this act is necessarily applicable
38 only in the County of Contra Costa.

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